

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JESSICA COLEMAN, et al.,

Plaintiffs

v.

ROBERT TELLES, et al.,

Defendants

Case No.: 2:24-cv-00930-APG-MDC

**Order Denying Motion to Stay Distribution
of Settlement Funds**

[ECF No. 84]

Defendant/counterclaimant Robert Telles moves for an injunction precluding counsel for plaintiffs Jessica Coleman, Aleisha Goodwin, and Rita Reid from disbursing settlement funds these plaintiffs receive from settling with defendant Clark County until Telles' counterclaims against these plaintiffs are resolved. Telles argues the funds should be kept in an interest-bearing "blocked account" so the plaintiffs cannot "spend away the funds" and prevent Telles from recovering from them. ECF No. 84 at 11.

Coleman, Goodwin, and Reid respond that although Clark County made offers of judgment to all four original plaintiffs, only plaintiff Noraine Pagdanganan accepted. They argue that because Coleman, Goodwin, and Reid did not accept the settlement offer, there is nothing to distribute, and thus nothing to restrain. Clark County notes that Telles apparently does not seek an injunction against it, but it opposes Telles's motion, arguing that Telles has not shown a likelihood of irreparable harm. In reply, Telles argues that even if Coleman, Goodwin, and Reid rejected Clark County's offer of judgment, an injunction is nevertheless "proper to ensure that if and when Plaintiffs do accept a settlement offer, they cannot spend away the proceeds before satisfying a judgment in Telles's favor." ECF No. 89 at 2.

1 To qualify for a preliminary injunction, a plaintiff must demonstrate: (1) a likelihood of
2 success on the merits, (2) a likelihood of irreparable harm, (3) the balance of hardships favors the
3 plaintiff, and (4) an injunction is in the public interest. *Winter v. Natural Res. Def. Council, Inc.*,
4 555 U.S. 7, 20 (2008). Alternatively, under the sliding scale approach, the plaintiff must
5 demonstrate (1) serious questions on the merits, (2) a likelihood of irreparable harm, (3) the
6 balance of hardships tips sharply in the plaintiff's favor, and (4) an injunction is in the public
7 interest. *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1135 (9th Cir. 2011).

8 I deny Telles's motion because he has not shown a likelihood of irreparable harm.
9 Coleman, Goodwin, and Reid did not accept Clark County's offer of judgment, so there are no
10 settlement funds they can expend before Telles's counterclaims against them can be resolved.
11 *See Caribbean Marine Servs. Co. v. Baldrige*, 844 F.2d 668, 674 (9th Cir. 1988) (stating that "a
12 plaintiff must demonstrate immediate threatened injury as a prerequisite to preliminary
13 injunctive relief"). Likewise, Telles's speculation that maybe they will accept a settlement offer
14 in the future does not support an injunction at this time. *See id.* ("Speculative injury does not
15 constitute irreparable injury sufficient to warrant granting a preliminary injunction."); *Ctr. for*
16 *Food Safety v. Vilsack*, 636 F.3d 1166, 1172 (9th Cir. 2011) (stating that a plaintiff "must
17 establish that irreparable harm is *likely*, not just possible, in order to obtain a preliminary
18 injunction").

19 I THEREFORE ORDER that defendant/counterclaimant Robert Telles's motion to stay
20 distribution of settlement funds **(ECF No. 84) is DENIED.**

21 DATED this 27th day of June, 2025.

22 

23 _____
ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE